

### **NOTICE OF PUBUC HEARING**

On Tuesday, April 22, 2014, at 7:00 p.m., or as soon thereafter as the matter may be heard, the Harrisonburg City Council will conduct a public hearing in the Council Chambers, 409 Main Street, Harrisonburg, Virginia, to receive comments on and consider a proposed ordinance entitled:

#### **AN ORDINANCE ENACTING SECTION 10, CHAPTER 7 "STORMWATER MANAGEMENT" OF THE CODE OF ORDINANCES, CITY OF HARRISONBURG, VIRGINIA**

The ordinance seeks to ensure compliance with the Virginia Stormwater Management Act and the Virginia Stormwater Management Program mandated by the Commonwealth of Virginia in Va. Code Section 62.1-44.15:27 et seq. and adopted by the Virginia State Water Control Board, and regulations promulgated by the Virginia Department of Environmental Quality (DEQ). The Commonwealth of Virginia and DEQ have determined that adoption of this Ordinance will protect the quality of state waters.

The Ordinance names the City Engineer as the Administrator of the stormwater management program; and provides that no qualifying land-disturbing activity shall take place without a Virginia Stormwater Management Program (VSMP) permit authorized by the Administrator and issued by DEQ.

The Ordinance provides general permit requirements for land-disturbing activities; establishes the requirements for VSMP permits, including those for erosion control plans, stormwater management plans, and stormwater pollution prevention plans; provides for exceptions for certain agricultural activities, and for single family residences and/or land disturbing activities that disturb less than one acre of land area not part of a larger common plan of development; adopts state regulatory technical criteria for land-disturbing activities; provides procedures for requests for exemptions; provides procedures for monitoring, inspections and enforcement; provides for appeals to the Harrisonburg City Council and then to circuit court; and establishes fees for permits, modifications and maintenance, and site plan and erosion control plan review; authorizes the Administrator to require a surety for performance and compliance with permit conditions; requires associated changes to the City's Design & Construction Standards Manual, and in other respects bring the City's stormwater management program into compliance with state regulations. Per state law, (Va. Code Section 62.1-44.15:48) each day of violation of this ordinance may result in a civil fine of up to \$10,000 per day and is punishable by up to 12 months imprisonment and a fine of not less than \$2,500.00 and not more than \$32,500.00. Penalties may be much higher for violations involving false statements, falsification of records, or the endangerment of persons.

A copy of the above proposed ordinance is on file and may be viewed in the City Manager's Office 345 South Main Street, Room 201, Harrisonburg, Virginia. Any person wishing to be heard concerning this matter should appear at the above-stated time and place. For audio or video assistance during the hearing, contact the City Manager's Office at (540) 432-7701.